SEQUENCE LISTING

In response to the attached Notice to Comply, Applicants have corrected the errors related to nucleic acid sequence noted in the Raw Sequence Listing Error Report. Specifically, the attached substitute Sequence Listing: (a) replaces the term "Synthetic" with the approved term "Artificial" in each occurrence of item <213>; (b) adds the comment "derived from exon 10 of the human cystic fibrosis gene" as <223> to each sequence description describing the sequence as "Artificial"; and (c) adds application data (serial number, etc.). Pursuant to 37 CFR 1.821 and/or 1.825, the undersigned hereby states that no new matter is introduced by this Amendment.

A computer readable copy of the substitute Sequence Listing is also attached hereto. Pursuant to 37 CFR 1.821 and/or 1.825, the undersigned hereby states that the content of the paper and computer readable versions of the substitute Sequence Listing are the same.

Accordingly, it is respectfully submitted that Applicants have now complied with all relevant Sequence Listing requirements.

ELECTION/RESTRICTION REQUIREMENT

The Office Action requires Applicants to provisionally elect to prosecute claims drawn to the invention of Group I (namely,

claims 1-25, 50 and 51), the invention of Group II (namely, claims 26-49), or the invention of Group III (namely, claim 52).

Accordingly, Applicants hereby provisionally elect examination of Group I, claims 1-25, 50 and 51. This election is specifically made with traverse.

A restriction requirement is proper only where there is a serious burden on the Patent Office to examine all of the claims in a single application, even when it appears that appropriate reasons exist for the requirement. MPEP §803. Applicants respectfully submit that there would be no serious burden on the Patent Office to examine all of the present claims because the subject matter of Groups I-III is sufficiently related that a search of the subject matter of any one group would encompass a search for the subject matter of the other groups. Thus, the restriction requirement is improper and should not be maintained.

Accordingly, reconsideration and withdrawal of the restriction requirement are respectfully requested.

Should the Examiner believe that anything further is desirable in order to place the application in even better condition for initial examination and allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

The Office is authorized to charge or credit our Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

May 7, 2001

By _____

David M. Tener
Registration No. 37,054
Customer No. 03000
Seven Penn Center
12th Floor
1635 Market Street
Philadelphia, PA 19103-2212
(215) 567-2010
Attorneys for Applicants

CERTIFICATE OF MAILING

I hereby certify that the foregoing Sequence Listing Amendment, Substitute Sequence Listing (paper and CRF) and Notice to Comply re Application No. 09/664,827 are being deposited with the United States Postal services as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, Washington, D.C., 20231 on this Monday, the 7th day of May, 2001.

_____
David M. Tener, Reg. No. 37,054

Application No.: 09/664,827

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- [X] 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- [ ] 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- [ ] 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- [ ] 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- [X] 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- [ ] 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- [ ] 7. Other: _____

Applicant Must Provide:

- [X] An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- [ ] An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- [X] A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
PatentIn Software Program Support
Technical Assistance.....703-287-0200
To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY